

SCHOOL ETHICS COMMISSION	:	BEFORE THE
	:	SCHOOL ETHICS COMMISSION
v.	:	RESOLUTION
GARY JOHNSTON,	:	
Delaware Valley Regional	:	
Board of Education,	:	SEC Docket No.: T06-98
Hunterdon County	:	
	:	

WHEREAS, the School Ethics Act, N.J.S.A. 18A:12-21 et. seq. was enacted by the New Jersey State Legislature to ensure and preserve public confidence in school board members and school administrators and to provide specific ethical standards to guide their conduct; and

WHEREAS, N.J.S.A. 18A:12-33 requires new board members to attend training within one year of election or appointment to the board to gain the skills and knowledge necessary to serve as a school board member; and

WHEREAS, Gary Johnston was elected to serve a three-year term on the Delaware Valley Regional Board of Education in April 1997; and

WHEREAS, the New Jersey School Boards Association (NJSBA) advises prospective board members of the training requirement in the “candidate kit;” and

WHEREAS, The NJSBA mails correspondence to all new board members who have failed to register for or attend an orientation and did mail such correspondence to this board member on February 23, 1998; and

WHEREAS, the NJSBA conducted seven training sessions between April 1997 and April 1998 at varying locations and continuously published the dates and times of the sessions in its publication, *School Board Notes*; and

WHEREAS, the last training session to fulfill the requirement was held on March 14, 1998; and

WHEREAS, the Commission issued an Order on April 15, 1998, directing Mr. Johnston to Show Cause why he should not be found in violation of the Act; and

WHEREAS, the Business Administrator replied on Mr. Johnston’s behalf that Mr. Johnston could not attend the sessions scheduled before April 1998 because he either received late notice or had a scheduling conflict, but that he plans to attend the June 19-21, 1998 training session; and

WHEREAS, the Commission notified him that the Commission would discuss this matter at its May 26, 1998 meeting, that he had the right to attend, and could be found in violation of the School Ethics Act and receive a penalty up to removal; and

WHEREAS, Mr. Johnston has failed to attend the required training program for the one year allowed; and

WHEREAS, the Commission finds that this failure to attend board member training from April 1997 to April 1998 constitutes a violation of N.J.S.A. 18A:12-33; and

WHEREAS, he has not presented an adequate reason that he could not have attended one of the sessions offered; and

WHEREAS, Mr. Johnston states that he is able to attend the June 19-21, 1998 session;

NOW THEREFORE BE IT RESOLVED that the School Ethics Commission finds that he violated N.J.S.A. 18A:12-33 of the School Ethics Act and recommends that the Commissioner of Education suspend him for one meeting of the board if he attends the session, but remove him from the board if he does not attend this session.

Dated: May 26, 1998

Paul C. Garbarini, Chairperson

This matter shall be transmitted to the Commissioner of Education for action on the Commission's recommendation for sanction pursuant to N.J.S.A. 18A:12-29. Within thirteen (13) days from the date on which the Commission's decision was mailed, the board member may file written comments on the recommended sanction with the Commissioner of Education, c/o Bureau of Controversies and Disputes, 100 Riverview Plaza, P.O. Box 500, Trenton, NJ 08625, marked "Attention: Comments on Ethics Commission Sanction." A copy of any comments filed must be sent to the School Ethics Commission and all other parties.

I certify that the within Resolution was duly adopted by the School Ethics Commission at its Public Meeting on May 26, 1998.

Lisa James-Beavers, Executive Director